

- 12 -

REMARKS

1. Status of the Claims

Claims 1, 3-29 and 31-61 were pending as of the Office Action mailed November 02, 2005 (hereinafter, the "Office Action"). Claim 26 is canceled herein. Therefore, claims 1, 3-25, 27-29, and 31-61 are currently pending. Reexamination of the present application in view of the amendments above and the remarks below is respectfully requested.

2. Claim Rejections Under 35 U.S.C. § 112

Claims 1, 3-24, 29, and 31-61

Claims 1, 3-24, 29, and 31-61 are rejected under 35 U.S.C. § 112, second paragraph, allegedly as being indefinite. Applicants thank the Examiner for the helpful suggestions in regard to the insertion of the sequence identifier in claims 1 and 29 and have made the appropriate amendments hereinabove. In view of the amendments herein to claims 1 and 29, it is believed that the present rejection of claims 1, 3-24, 29, and 31-61 is moot and Applicants respectfully request that the rejection be withdrawn.

Claims 25, 27, and 28

Claims 25, 27, and 28 are rejected under 35 U.S.C. § 112, first paragraph, allegedly as failing to comply with the written description requirement. Applicants respectfully traverse the present rejection because the specification provides ample written description for a method of cleaving a target DNA molecule, for example, at page 14, lines 24-26 and

- 13 -

at page 36, lines 22-23 of WO 98/49346.

However, in the interest of speeding allowance of the instant claims, Applicants amend, without prejudice or disclaimer, claim 25 herein such that the target nucleic acid sequence is related to a target nucleic acid sequence comprising one or more RNA nucleotides. Applicants reserve the right to claim any canceled subject matter in a new application. Support for the amendment to claim 25 can be found in the specification in Examples 1-3, for instance.

In view of the amendment to claim 25 hereinabove it is believed that the present rejection of claims 25, 27, and 28 is moot and Applicants respectfully request that the Examiner withdraw the rejection.

3. Allowable Subject Matter

The Examiner objected to 26 as being dependent upon a rejected base claim. In view of the cancellation of claim 26 hereinabove, the present objection to claim 26 is believed to be moot.

4. Typographical Error in Claim 54

Applicant respectfully submits that claim 54 which was presented as a new claim in the Response mailed August 4, 2005 has a typographical error in that the term "wherein" is repeated. Applicants respectfully submit an amendment to claim 54 hereinabove to correct this obvious typographical error.

- 14 -

CONCLUSION

No new matter is added by way of the present Response. Applicants respectfully submit that the pending claims are in condition for allowance and solicit an early indication of such allowance.

If there are any additional fees (or overpayments) associated with this Response, or any Response associated with this application, the Director is hereby authorized to charge (or credit) our Deposit Account No. 19-0962.

Respectfully submitted,

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Date

Michael J. McCarthy
Michael J. McCarthy, Reg. No. 46,910

THE SCRIPPS RESEARCH INSTITUTE
10666 North Torrey Pines Road
Mail Drop TPC-8
La Jolla, California 92037
(858) 784-2937